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REMARKS

OF

HON. GEO. EUSTIS, JR., OF LOUISIANA,

ON THE

ORGANIZATION OF THE HOUSE.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, JANUARY 7, 1856

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REMARKS.

The House being engaged with the question of Coleridge of Speaker.

Mr. EUSTIS (when his name was called) said: Before I give my vote I rise to a personal explanation. It was my intention, Mr. Clerk, not to have occupied this floor until an organization of this House had been effected; but the peculiar complexion of the debate of Saturday last, and the remarks which have fallen from the lips of an honorable gentleman from Mississippi [Mr. PENNING], and which have been brought to my notice, compel me to depart from the line of conduct which I had determined upon.

Mr. STANTON. I would suggest to the gentleman that he had better wait until the roll has been called.

Mr. EUSTIS. Were it not, sir, that in taking the floor at this time, for the purpose of personal explanation, I am only following the example of other gentlemen, I should cheerfully yield to the suggestion of the gentleman from Ohio. I read, Mr. Clerk, from the speech of the gentleman from Mississippi [Mr. PENNING] as reported in the *Daily Globe* of Thursday morning, January 2, 1856. The gentleman alluded to the views which I had expressed previously.

Will not the American party in Congress take the view of the South as being of the opinion that Catholics and the negroes were not to be kept? Will the gentleman say that he, the member from England, is of this opinion? I am not, because of the prescription of those who profess to be of the creed of the Roman Catholic Church, the cause of its members and laymen. And not only now, but, unless I am misinformed, the gentleman from Louisiana, a member of this House, who was elected by the American party in Louisiana, who expressed that position of the people, is harmoniously acting with the American party here in the support of Mr. Penning of Pennsylvania, for Speaker.

Then I say it by all rights, and I am only met with a member of the same order, who has, and holds the principles of their platform, with what propriety or consistency can it be proposed upon this floor that we leave protracted there, and that they be not made witnesses in the selection of a Speaker? We have, in our session, given in the same instrument to the right section of the platform, that to its own party have given to the same that most Protestant religion in protest. And when I say, sir, I understand, if that belief, in the light of the fact, is not meant to pose the Catholics, it is a mere nothing.

I regret exceedingly, Mr. Clerk, that the vote which I have had the honor of giving for the honorable, the patriotic, and conservative gentleman from Pennsylvania, should have given any concern or uneasiness to the gentleman from Mississippi, more particularly as I do not think that I require from that gentleman any prompting or suggestion, or any lecture—I say it in a spirit of kindness and of courtesy—in regard to the course I am to pursue, or the votes I am to give, in this House. I am responsible, sir, to my constituents and to my political friends, and to none others. I yield to him the broadest of fields for the expression and exercise of his opinions, be they what they are, and I believe, sir, the same privilege without any reservation of what he wishes ever. I have voted for Mr. Penning because he presented himself to me as the man who could do it. I know him to be a sound conservative man. I have voted for him previously to to-day; I have voted for him before, and I shall continue to vote for him as long as he will permit. His name to be used by his friends in this House. [Applause in the galleries.] I regret exceedingly that my vote for Mr. Penning should not meet with the approval and sanction of the honorable gentleman from Mississippi, but I must inform that

gentleman that I will endeavor to bear with patience and resignation his displeasure, if I can only count upon the sanction and approval of my constituents and of my political friends.

[A few days after these remarks were made, Mr. FULLER, of Pennsylvania, defined his position in the following answers to questions propounded by Mr. ZOLLICOFFER, and which all the candidates were called upon subsequently to answer.]

Mr. FULLER, of Pennsylvania. Mr. Clerk, I voted for the resolution offered by the gentleman from Tennessee [Mr. ZOLLICOFFER] yesterday, because I cordially approve of the principle embodied in that resolution. Early in the session I felt it a duty, in justice to myself and to those with whom I had been acting, to declare the opinions I entertained and the course of action I should pursue upon certain questions of public policy. I desire to say now, sir, what I believe is known to the majority—if not to all—of those who have honored me with their confidence, that I have been ready at any and all times to withdraw my name from this protracted canvass. I have felt unwilling to stand, or to appear to stand, in the way of any fair organization of this body.

In answer to the specific interrogatories here presented, I say that I do not regard the Kansas and Nebraska bill as promotive of the formation of free States; and I will further say, sir, that I do not believe that it is promotive of the formation of slave States. [Cries of "Good!"] The second interrogatory relates to the constitutionality of the Wilmot proviso. I was not a member of the Congress of 1850, and have never been called upon to affirm or deny the constitutionality of the Wilmot proviso.

I have never assumed the position, that "if territorial bills (silent upon the subject of slavery, and leaving the Mexican laws to operate) were defeated, he [I] would vote for a bill with the Wilmot proviso in it." That question relates to the legislative action of the distinguished gentlemen from Illinois, [Mr. RICHARDSON.] My political existence commenced since that flood. [Laughter.] I was not a member of that Congress, and having never taken any public position upon that subject heretofore, I am willing, in all frankness and candor, to do so now; and I do so with great deference and respect for those distinguished men who, in times past, have entertained and expressed different opinions. Public history informs us that slavery existed before the Constitution, and, in my judgment, now exists independent of the Constitution. When the people of the Confederate States met, by their representatives in convention, to form that Constitution, slavery existed in all but one of the States of the Confederacy. The people, through their representatives, having an existing and acknowledged right to hold slaves, conceded this—the right to prohibit importation—after the year 1808. They made no cession, so far as regarded the existence of domestic slavery. They claimed—and it was granted—the right of reclamation in case of escape. They claimed—and it was granted—the right of representation as an element of political power. And I hold, in the

absence of express authority, that Congress has no constitutional right to legislate upon the subject of slavery. [Applause.] I hold that the Territories are the common property of all the States, and that the people of all the States have a common right to enter upon and occupy those Territories, and they are protected in that occupation by the flag of our common country; that Congress has no constitutional power either to legislate slavery into, or exclude it from, a Territory. Neither has the Territorial Legislature, in my judgment, any right to legislate upon that subject, except so far as it may be necessary to protect the citizens of the Territory in the enjoyment of their property, and that in pursuance of its organic law, as established by congressional legislation. When the citizens of the Territory shall apply for admission into the Union, they may determine for themselves the character of their institutions, (by their State constitution;) and it is their right then to declare whether they will tolerate slavery or not, and, thus fairly deciding for themselves, should be admitted into the Union as States without reference to the subject of slavery. The Constitution was formed by the people of the States for purposes of mutual advantage and protection. The States are sovereignities, limited only so far as they have surrendered their powers to the General Government. The General Government, thus created and limited, acts with certain positive, defined, and clearly ascertained powers. Its legislation and administration should be controlled by the Constitution; and it cannot justly employ its powers thus delegated to impair or destroy any existing or vested rights belonging to the people of any of the States.

Mr. BARNESDALE. The interrogatories, Mr. Clerk, which I propose to put to the gentleman from Massachusetts, [Mr. BYRKS,] I intend for all the gentlemen who are candidates for the speakership; and, in order that the House and the gentlemen to whom they are propounded may understand them, I will now read them:

Are you now a member of the American or Know Nothing party?

Are you in favor of abolishing slavery in the District of Columbia, the United States forts, dock-yards, &c.?

Do you believe in the equality of the white and black races in the United States; and do you wish to promote that equality by legislation?

Are you in favor of the entire exclusion of adopted citizens and Roman Catholics from office?

Do you favor the same modification—and this question I intend particularly for the gentleman from Massachusetts, [Mr. BYRKS,]—of the tariff now which you did at the last session of Congress?

Mr. FULLER, of Pennsylvania. Mr. Clerk, I shall answer the questions specifically and directly, reserving to myself the privilege of more full explanation hereafter.

Are you in favor of restoring the Missouri restriction, or do you go for the entire prohibition of slavery in all the Territories of the United States?

I am opposed to any legislation upon those subjects for reasons already given.

Are you in favor of abolishing slavery in the District of Columbia and the United States forts, dock-yards, &c.?

I am not, sir.

"Do you believe in the equality of the white and black races in the United States, and do you wish to promote that equality by legislation?"

I do not, sir. I acknowledge a decided preference for white people. [Laughter.]

"Are you in favor of the entire exclusion of adopted citizens and Roman Catholics from office?"

Mr. Clerk, I think with General Washington—and he is a very high authority—that it does not comport with the policy of this country to appoint foreigners to office to the exclusion of native-born citizens. [Loud applause in the galleries.] But I wish to say that I proscribe no man because of his religion; I denounce no man because of his politics. I accord to all the largest liberty of opinion and of expression, of conscience and of worship. I care not, sir, what creed a man may profess; I care not to what denomination he may belong; be he Mohammedan, Jew, or Gentile, I concede to him the right to worship according to the dictates of his own judgment. I invade no man's altar, and would not disturb any man's vested rights. Whatever we have been, whatever we are, and whatever we may be, rests between us and Heaven. I allow no mortal to be my mediator; and judging no man, will by no man be judged. With regard to those of foreign birth, I do not desire to exclude them. I say to them: "Come, enter upon the public lands; occupy the public territory; build up for yourselves homes, acquire property, and teach your children to love the Constitution and laws which protect them;" but I do say that in all matters of legislation, and in all matters of administration, *Americans should govern America.*

"Do you favor the same modification of the tariff now that you did at the last session of Congress?"

I was not a member of the last Congress; and all that I would now ask upon the subject of the tariff is, "to be let alone."

[I consider it due to my constituents, the American party, and the people of my State in general, that I should take this early opportunity of placing before them the eminently national sentiments and opinions of the gallant son of Pennsylvania, for whom I have cast my vote for Speaker.]

And here, Mr. Clerk, I will take occasion to state, in a very few words,—reserving to myself the privilege of stating my views at greater length on some other occasion,—what is the position of the American party of Louisiana on the subject of religion. We hold, sir, in Louisiana, and we hold it as a cardinal maxim—and I hope to God that it will be so held in every State of this Union—that religious faith is a question between each individual and his God; and we consider that any attempt to abridge or circumscribe religious freedom is unworthy of our great country, and must be repudiated by every party in this country. We consider that it is in violation of the organic laws of the land; and in that spirit

the American party in Louisiana repudiated the eighth article of the Philadelphia platform; and, sir, I now repudiate it *in toto*. I care not, sir, what construction gentlemen, in perfect good faith, may be pleased to put upon it. I know that gentlemen have addressed this House, and told us that they meant nothing by the eighth article of the Philadelphia platform: that is to say, that the construction which they place upon it could not be considered as offensive as against American Catholics, and therefore as inoperative and innocent as against that class of our citizens. But, Mr. Clerk, as I said before, I care not what construction they put upon it. I listened with pleasure to the remarks of the eloquent gentleman from the Louisville district, [Mr. HUMPHREY MARSHALL,] and I am satisfied that that gentleman agrees with me entirely. I am satisfied that the honorable gentleman from the Louisville district does not intend to proscribe American Catholics. I am satisfied that, when he says that he is in favor of the broadest religious liberty, what he says comes from the bottom of his heart, and that he stands with me, where every American must stand, upon the broad basis of civil and religious liberty. [Applause in the galleries.]

But, as I said before, I care not what construction is put upon it. The words are there in white and black, and they are offensive and insulting to the American Catholics of America. Let us look at what took place in the State of Virginia during the last State election. What was the construction which the American candidate for Governor of that State placed upon the eighth article of the Philadelphia platform? We all know that, in the early part of his canvass, that candidate published a letter in which he said he never would vote for a Catholic. Thank God, that gentleman was defeated; and, sir, he ought to have been defeated. There was enough in that letter to defeat ten thousand candidates for Governor; and I trust that every man who holds such odious and monstrous doctrines will ever meet with as deep a political grave as the honorable gentleman, the American candidate for Governor of Virginia, has met with.

I agree with the honorable gentleman from Mississippi [Mr. BENNETT] when he says, if the eighth article of the Philadelphia platform does not mean to proscribe Catholics, it means nothing. And, sir, what can it mean? I believe it means nothing. It is a mere abstraction—a mere idle concession to the prejudices of one class of religionists—and has no place in the platform of a great national party. And I undertake to show

to this House, if they will consider the declarations of the members of the national American party upon this floor, and if they will examine the eighth article of the Philadelphia platform, that they will find that it means nothing as against American Catholics, and cannot apply to them, unless it is intended to exclude them from office, which is expressly disavowed; because the cardinal principle—the great principle, according to my understanding—of the American platform is this: that none but native-born Americans should be elevated to office; therefore, if none but native-born Americans are to be elevated to office, *all* foreigners are excluded—foreign Catholics are excluded, foreign Protestants are excluded, and foreign Jews are excluded. And they are not excluded on account of their religion, but on account of their birth; therefore, if foreign Catholics are excluded on account of their birth, and not on account of their religion, the only Catholics who remain to be dealt with, and the only Catholics who can come up and be considered as candidates by the American party, are the American Catholics. They are the only Catholics who can be considered as candidates by the American party, because all foreigners are excluded; and, as I said before, foreign Catholics are excluded by coming within that designation.

Mr. VALK. I suggest to the gentleman from Louisiana, with great courtesy and kindness to him, that, at this particular stage of the proceedings in the call of the roll, he should be kind enough to suspend his remarks for the present.

Mr. EUSTIS. I would adopt the gentleman's suggestion, but I beg to inform him that I have but little more to say, and that little more is particularly addressed to gentlemen belonging to the American party whom I am desirous should know distinctly where I stand. I am no Catholic, and I have been but seldom within the walls of a Catholic church—and that, however, is nothing in my favor. I say I desire that the Catholics should understand exactly where I stand; and I tell them that by the eighth article of the Philadelphia platform, according to the view which I take of it, they either exclude or intend to proscrib[e] American Catholics, or they mean nothing, because gentlemen have stated upon this floor that they did not intend to proscrib[e] American Catholics. Then, gentlemen, if you mean nothing by that article of the platform, in the name of God strike it out, for it is a blot upon the history of our country; it is admitted to be a great political blunder. I am satisfied that no convention could be assembled now which would tolerate

its bare proposition. I am equally satisfied that the days of the national American party are numbered, unless the next convention of its delegates repudiates it. Every one knows, who has given any thoughts to the prospects of this American party, that that article has driven thousands from our ranks who coincided with us in other respects. The American people are generous, and you have excited that generosity. They will not agree with you in this crusade against Catholicism; and I would rather that this right arm should wither than be connected with any party whose purpose it is to persecute the Catholics of this great country.

Gentlemen talk about the Papal power. The honorable gentleman from North Carolina [Mr. READE] the other day asked the honorable gentleman from Georgia, [Mr. GREENENS,] whether he would vote for a Catholic whose religious opinions he suspected of being hostile to the general interests of this country. What right has that gentleman to challenge the nationality of his peer, his equal, and require him to purge his conscience, before he can hold communion with him on the footing of an American citizen? What right have you to denounce him as a traitor to his country, and compel him to stand before your bar as a criminal—as an individual hostile to the institutions of your country?

[Here the hammer fell, the ten minutes having expired. Cries of "Go on!"]

No objection being made.

Mr. EUSTIS resumed. If I tell you, gentlemen, you have just as much right to put your hands in another man's pocket, to see if the money he has belongs to him, as to assume that position towards the American Catholics—as to probe their consciences to ascertain whether they entertain opinions hostile to the institutions of their country.

Gentlemen ought to recollect that here, in this Congress, there is not a single Catholic priest. And, for my part, it is not a subject of regret, for I am opposed to all religious interference with our political affairs. I am in favor of maintaining and keeping up the divorce between Church and State which has been established by our great fathers. The Catholics of America are opposed to any religious interference with their political affairs. And, sir, the elements of freedom and independence which lie in the bosom of all Americans are amply sufficient to enable them to resist any attempt on the part of their clergy to overstep the boundaries of their holy mission. They do not require the assistance of Protestants to draw

the line for them between ecclesiastical and political jurisdiction; whenever they do, it will be time enough for the followers of Luther and Calvin to take up the rule and the compass. At all events, these matters can never be the subject under our organic law, of national emanation; the State Legislatures can alone exercise control over religion or religious corporations, and each State must assume the responsibility of regulating its own affairs according to the understanding of its people. But, sir, that very same reason which would make it a deadly enemy of Catholic priest-hood interference with our institutions, makes me blush for my countrymen when I see the Protestant church selling its robes by dragging them in the mire of politics. Your Legislatures are filled with gentlemen who wear white cravats and black coats. Your Congress has a large proportion of these clerical gentlemen. And I ask you, with due respect and due courtesy to gentlemen of the cloth, to show me a Catholic priest or an accredited agent of the Church of Rome in this Hall. [Laughter, and cries of "Hear, hear!"] Gentlemen who talk about the Pope of Rome ought to recollect that that poor old man, who is an object of such terror to them, is now in the custody of a guard of French soldiers.

But, Mr. Clerk, I have consumed more time than I desired. I will simply close my remarks by asking the gentleman from North Carolina [Mr. REAR] where he gets the authority for thus blackballing his peers, his equals, the Catholics?—where he gets the authority for stamping them as the mere tools of the Pope of Rome?—where he gets the authority for considering them as unworthy of participating in the great councils of this country? Does the gentleman find his authority, or will he find it, in the Constitution of the United States? Will the gentleman find it in the treaty between France and the United States, by which the Territory of Louisiana was ceded to this country, and by which the religious rights of its inhabitants were guaranteed to them? Will the gentleman find it in the Farewell Address of

the great Father of our Country—in that address which is so often quoted by the orators of the American party? Will the gentleman find it in that great book, the Bible, on which so much veneration has been wasted so unprofitably in the Philadelphia platform? I will tell the gentleman where he will find it. He will find it in the teachings, and in the inspiration of that dark spirit of fanaticism which is the curse of the Anglo-Saxon race. The gentleman will find it in that spirit by which Protestants were driven from New England by their fellow-Protestants in our colonial days. He will find it in that spirit which made the Episcopalians of Virginia drive away their Puritan brethren from that State. And where did these persecuted Puritans and Protestants in general go? What spot did they choose as an asylum in order to be protected from their Protestant persecutors? I will tell the gentleman where they went in those colonial times. They went to the colony of Maryland—to that colony whose inhabitants were under the influence of "the aggressive policy of the Church of Rome and its corrupting tendencies." Yes, these Puritans sought a refuge in that colony which first in the United States established the law protecting every man from religious persecution.

Mr. Clerk, the American party of Louisiana has a right to be heard; I regret exceedingly that I am here the sole exponent of its views. I regret exceedingly that the professions of that party are not in better hands. But, sir, I will state this much, that in every Native American organization the American party of Louisiana has a right to be heard. If I am not mistaken, the Legislature of Louisiana was the first which passed resolutions demanding a change in the naturalization laws of this country.

I thank the House for the indulgence which it has extended to me on this occasion. I vote for Mr. FELLUM.

[Hon. PIERCE WARRICK, in an eloquent speech, endorsed the action of the American party of Louisiana.]

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